

Department of Administration BUDGET OFFICE One Capitol Hill Providence, R.I. 02908-5886

Memorandum

To:

The Honorable Steven M. Costantino

Chairman, House Finance Committee

The Honorable Daniel DaPonte

Chairman, Senate Finance Committee

From:

Executive Director/State Budget Officer

May 28, 2000

Date:

May 28, 2009

Subject:

Revised Article 31 for the FY 2010 Appropriation Act (09-H-5983)

The Department of Human Services requests that Article 31, Relating to Rhode Island Global Consumer Demonstration Waiver, be replaced with the attached version. This article provides the statutory authority for the Department of Human Services, in conjunction with the Executive Office of Health and Human Services, to seek federal approval in accordance with the special terms and conditions of the Rhode Island Global Consumer Choice Compact Demonstration Waiver in any instance where current law authorizes the Department to obtain necessary "waiver(s), waiver amendment(s) and/or state plan amendments". Functionally, this article replaces statutory language that has been outmoded by the adoption of the Global Medicaid Waiver, thereby maintaining the force and intent of existing statutes governing Rhode Island's Medicaid program. The revised language is indicated with shading.

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If you have any questions regarding the revised Article 31, feel free to call me or Daniel Orgel at 222-6300.

RBG:sm09-166

cc: Michael O'Keefe

Peter Marino Tim Costa Michael Cronan Gregory Stack

Brian Stern

Representative Robert A. Watson

REVISED ARTICLE 31

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effective January 16, 2009.

| 2 | RELATING TO RHODE ISLAND GLOBAL CONSUMER DEMONSTRATION WAIVER |
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| 3 | SECTION 1. Section 40-8-17 of the General Laws in Chapter 40-8 entitled "Medica" |
| 4 | Assistance" is hereby amended to read as follows: |
| 5 | § 40-8-17. Waiver request - Formulation (a) The department of human services |
| 6 | in conjunction with the executive office of health and human services, is directed and |
| 7 | authorized to apply for and obtain any necessary waiver(s), waiver amendment(s) and/or state |
| 8 | plan amendments from the secretary of the United States department of health and human |
| 9 | services, including, but not limited to, a § 1115a(a) global demonstration waiver that provides |
| 10 | program flexibility in exchange for federal budgetary certainty and under which Rhode Island |
| 11 | will operate all facets of the state's Medicaid program, except as may be explicitly exempted |
| 12 | under any applicable public or general laws. |
| 13 | (b) Effective July 1, 2009, any provision presently in effect in the Rhode Island Genera |
| 14 | Laws where the department of human services, in conjunction with the executive office of |
| 15 | health and human services, is directed and authorized to apply for and obtain any necessar |
| 16 | waiver(s), waiver amendments(s) and/or state plan amendments for the purpose of providing |
| 17 | medical assistance to recipients, shall authorize the department of human services, it |
| 18 | conjunction with the executive office of health and human services, to proceed with appropriate |
| 19 | category changes in accordance with the Special Terms and Conditions of the Rhode Island |

Global Consumer Choice Compact section 1115(a) Demonstration Waiver, which became

SECTION 2. This article shall take effect upon passage.